

## TEMPORARY EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, We, James M. Duncan and wife, Loretta A. Duncan, hereinafter referred to as "Grantor", do hereby grant, bargain, sell and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", a temporary construction easement over the property described in Exhibit 1 attached hereto.

It is agreed that this is a temporary construction easement for the purpose of Grantee constructing a sewer line.

The easement is temporary in nature and will expire and terminate upon completion of the construction of the sewer project and restoration of Grantor's property.

As additional consideration it is agreed that Grantor shall be entitled to receive a waiver of one sewer tap on the property over which this Easement is granted.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 19 day of MAY, 2001.

James M. Duncan  
JAMES M. DUNCAN  
Loretta A. Duncan  
LORETTA A. DUNCAN

Witnessed By:

[Signature]

APPROVED AND ACCEPTED by the  
City of Olive Branch

By: [Signature]  
SAMUEL P. RIKARD, MAYOR

ATTEST:

[Signature]  
JUDY C. HERRINGTON, CITY CLERK

STATE MS - DESOTO CO. FILED  
MAR 26 9 07 AM '02

BK 415 PG 236  
W.E. DAVIS CH. CLK.

STATE OF MISSISSIPPI

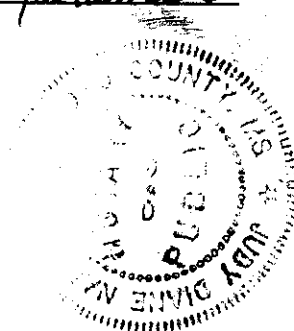
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this, 21<sup>st</sup> day of May, 2001, within my jurisdiction, Tim E. Gendry one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that he saw the within named James M. Duncan and wife, Loretta A. Duncan, whose names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed his name as witness thereto in the presence of same.

Tim E. Gendry  
Witness

Judy Diane Naramore  
NOTARY PUBLIC

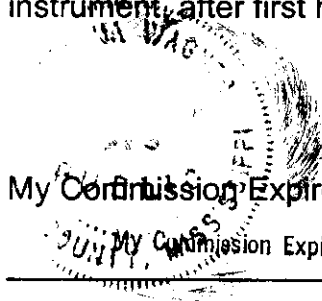
My Commission Expires:  
MISSISSIPPI STATEWIDE NOTARY PUBLIC  
MY COMMISSION EXPIRES MARCH 19, 2006  
BONDED THRU STEGALL NOTARY SERVICE



STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 1<sup>st</sup> day of March, 2002 within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.



Gary P. Snyder  
NOTARY PUBLIC

My Commission Expires:

My Commission Expires May 20, 2003

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,  
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

**JAMES M. DUNCAN  
and wife, LORETTA A. DUNCAN  
DEED BOOK 245, PAGE 438**

**EXHIBIT 1**

Being a portion of Lot 11, Cedar Crest Estates Subdivision, lying in Section 10, Township 2 South, Range 6 West in the City of Olive Branch, Desoto County, Mississippi as recorded in Plat Book 38, Pages 5-6 in the Desoto County Chancery Clerk's Office, and being more particularly described as follows:

**TEMPORARY CONSTRUCTION EASEMENT**

Being a 20 foot wide strip of land parallel and adjacent to the south line of subject property and containing 2,723 square feet more or less.



SCALE: 1" = 50'

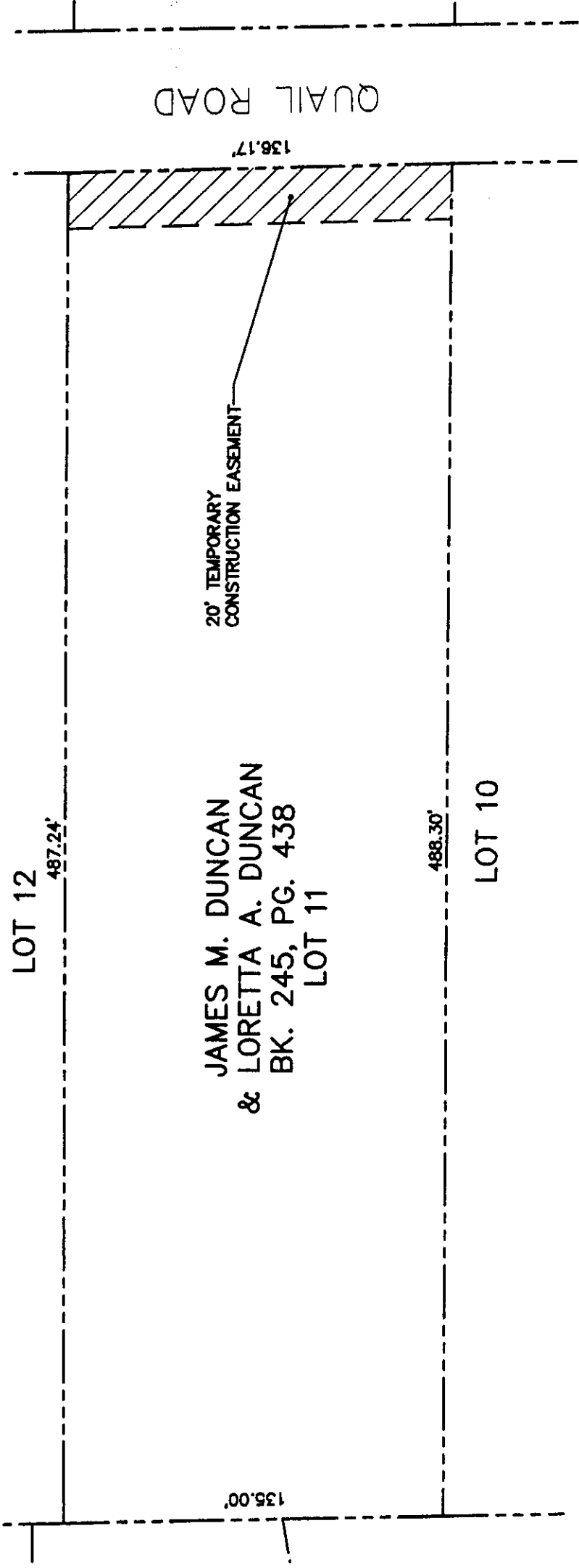


EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI  
DESOTO COUNTY

OLIVE BRANCH 2001  
SEWER IMPROVEMENTS

UTILITY EASEMENT

PREPARED BY: F&A BK. 245, PG. 438 TRACT: DUNCAN

DRAFTSMAN: MAW DATE: FEB., 2001

NO.	DESCRIPTION	DATE	BY

EASEMENT REQUIRED:

UNENCUMBERED: THIS PROPERTY IS LOCATED IN SECTION 10,  
TOWNSHIP 2 SOUTH, RANGE 6 WEST  
TEMP: 2,723 S.F.  
ENCUMBERED: DESOTO COUNTY, MISSISSIPPI  
PERM: 0.0 S.F.  
TEMP: 0.0 S.F.